




J. Craig Whitley
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re

DBMP LLC,¹

Debtor.

Chapter 11

Case No. 20-30080 (JCW)

OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS, and
SANDER L. ESSERMAN, in his capacity as
Legal Representative for Future Asbestos
Claimants, each on behalf of the estate of DBMP
LLC,

Plaintiffs,

v.

CERTAINTED LLC, CERTAINTED
HOLDING CORPORATION, and
SAINT-GOBAIN CORPORATION,

Defendants.

Adv. Pro. No. 22-03000 (JCW)

**ORDER DENYING DEFENDANTS' MOTION TO DISMISS AMENDED
COMPLAINT AND BRIEF IN SUPPORT**

¹ The last four digits of the Debtor's taxpayer identification number are 8817. The Debtor's address is 20 Moores Road, Malvern, Pennsylvania 19335.

This matter coming before the Court on the *Defendants' Motion to Dismiss Amended Complaint and Brief in Support* [Adv. Pro. No. 22-3000, ECF No. 38] (the "Motion");² and upon the submission of *Plaintiffs' Opposition to Defendants' Motion to Dismiss* [Adv. Pro. No. 22-3000, ECF No. 58], and the *Defendants' Reply in Support of Motion to Dismiss Amended Complaint* [Adv. Pro. No. 22-3000, ECF No. 67] (collectively, the "Responses"); the Court having reviewed the Motion and Responses and having heard the statements of counsel with respect to the Motion and Responses at a hearing before the Court on June 21, 2022 (the "Hearing");

THE COURT HEREBY FINDS, ORDERS, ADJUDGES, AND DECREES THAT:

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue in this Court is proper pursuant to 28 U.S.C. §§ 1408 and 1409. Notice of the Motion and the Hearing was sufficient under the circumstances.
2. The Motion is DENIED for the reasons set forth on the record on July 7, 2022.
3. This Court shall retain exclusive jurisdiction over any and all matters arising from or related to the implementation, interpretation, or enforcement of this Order, subject in all respects to *Defendants' Motion for a Determination That the Bankruptcy Court Lacks Constitutional Authority to Enter Final Judgment* [Adv. Pro. No. 22-03000, ECF No. 61].

This Order has been signed electronically. The Judge's signature and the Court's seal appear at the top of the Order.

United States Bankruptcy Court

² Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.